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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 MARION E. BROWER,
16
17 Plaintiff,

18 v.

19 PEPSI BOTTLING GROUP, INC., a
20 corporation, and Does 1 through 20,

21 Defendants.
22

Case No.: C 06-02614 MMC

**STIPULATION AND PROPOSED ORDER
REGARDING EARLY NEUTRAL
EVALUATION**

Complaint filed: March 29, 2006

23 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
24 MARION E. BROWER and Defendant PEPSI BOTTLING GROUP, through their counsel of
25 record, that the date in this action for completion of the Early Neutral Evaluation shall be
26 continued to October 24, 2006. Good cause exists for this Stipulation and Order for the
27 following reasons:
28

1. All parties and Early Neutral Evaluator Alice Beasley agreed to reschedule the date of the ENE from October 11, 2006 to October 23, 2006 due to the passing away of an immediate family member of Defendant's trial counsel, Mary L. Guilfoyle.

Dated: October 10, 2006

MILLER LAW GROUP
A Professional Corporation

By: /S/
Michele Ballard Miller
Mary L. Guilfoyle
Attorneys for Defendant PEPSI
BOTTLING GROUP, INC.

Dated: October 11, 2006

THE REVELATION LAW FIRM

By: /S/
Melanie D. Popper
Attorneys for Plaintiff MARION
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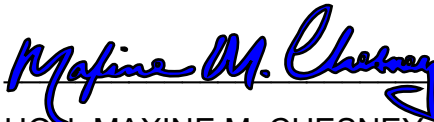
PROPOSED ORDER

The parties are ordered to comply with the following date:

a. The parties have stipulated to Early Neutral Evaluation through the Court's ADR Program, which is to be completed before October 24, 2006.

IT IS SO ORDERED.

Dated: October 11, 2006


HON. MAXINE M. CHESNEY